

AO 91 (Rev. 11/11) Criminal Complaint

FILED

JUN - 7 2018

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY K. J. [Signature] DEPUTY**UNITED STATES DISTRICT COURT**

for the

Western District of Texas

United States of America

v.

GLEN RAY MCGARITY
aka Michael Lewis

Case No. SA: 18-MJ-0748

Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 25, 2018 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18/922(g)(1)

Felon in Possession of a Firearm.

Penalties: 10 years imprisonment;
Maximum fine \$250,000 fine;
Maximum of 3 years supervised release;
\$100 Mandatory special assessment

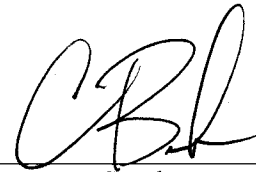
This criminal complaint is based on these facts:

See Attachment

☐ Continued on the attached sheet.

- ☒
- Sworn to before me and signed in my presence.
-
- ☐
- Sworn to telephonically and signed electronically.

Date:

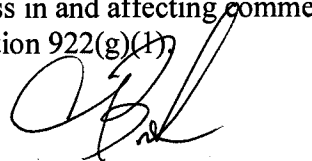
6/7/2018City and state: San Antonio, Texas*Complainant's signature*Chris Beach, SA, ATF*Printed name and title**Judge's signature*Richard B. Farrer, US Magistrate Judge*Printed name and title*

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

I, Chris Beach, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), having been duly sworn, and state as follows:

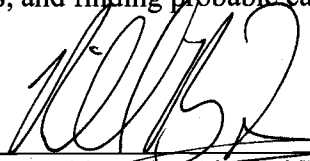
1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), United States Department of Justice, and have been so employed for approximately eighteen years. I am an investigator or law enforcement officer of the United States within the meaning Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516. I have been involved in numerous criminal investigations involving federal firearms violations, federal narcotics violations, and other violent crime investigations
2. The facts contained in this Affidavit are based on information I gathered personally and received from other law enforcement agencies and sources of information. This affidavit is in support of an arrest warrant for **Glenn Ray McGarity a.k.a. Michael Lewis**.
3. During the investigation of a murder that occurred on May 14, 2018, San Antonio Police Department (SAPD) Detectives identified **Glenn Ray McGarity** as suspect. At the same time, SAPD determined **McGarity** had felony arrest warrants for Robbery and Possession of a Controlled Substance.
4. On May 25, 2018, United States Marshal's Service (USMS) Deputies located **McGarity**, who was driving a gray 2018 Jeep Cherokee. **McGarity** drove himself and his female passenger to a residence on Pebble Breeze, in San Antonio, Texas, in the Western District of Texas. **McGarity** and the female went inside. After a period of time, **McGarity** came back out and approached the gray Jeep Cherokee. At that time, USMS Deputies and SAPD Detectives placed **McGarity** under arrest for his felony warrants for Robbery and Possession of a Controlled Substance.
5. By looking through the windows of the gray Jeep Cherokee that **McGarity** arrived in, SAPD Detectives and USMS Deputies were able to see firearms, suspected Marijuana, and suspected counterfeit money in plain view. The scene was held while a State search warrant was obtained for the gray Jeep Cherokee.
6. Upon receipt of the search warrant, the gray Jeep Cherokee was searched. As a result of the search, law enforcement recovered a black Keltec, model PLR-16, 5.56mm pistol, serial number P6B78 loaded with 31 rounds in plain view on the front passenger floorboard, and a pink and black Beretta, model BU9 Nano, 9mm pistol, serial number NU096091 loaded with nine rounds in plain view on the rear middle seat.

7. Also found on the rear middle seat were a Beretta gun case with firearm accessories, a black backpack containing 29.1 grams of suspected Marijuana, and a gray duffel bag containing suspected counterfeit U.S. Currency. Under the front driver's seat was a Walmart bag containing approximately 140.5 grams of Marijuana. Additionally, an empty Glock pistol case was found on the rear passenger floorboard.
8. **McGarity** was interviewed by SAPD. **McGarity** was provided his constitutional rights, which he acknowledged he understood. **McGarity** stated he had no place to stay and had been living in the gray Jeep Cherokee for several days.
9. On June 3, 2018, SAPD interviewed the registered owner of the gray 2018 Jeep Cherokee. The registered owner provided a sworn, written statement. The registered owner stated the gray Jeep Cherokee was loaned to **McGarity** on the morning of May 20, 2018. At the time the Jeep Cherokee was loaned to **McGarity**, there were no firearms or narcotics in the vehicle.
10. A query of **McGarity's** criminal history records reveal that **McGarity** has four felony convictions in Texas for: Evading Arrest/Detention with a Vehicle, Aggravated Robbery, Aggravated Kidnapping, and Possession of Marijuana.
11. An ATF Interstate Nexus Expert determined the Keltec and Beretta pistols are both firearms under the definition of Chapter 44, Title 18 U.S.C., Section 921(a)(3) and were manufactured outside of the State of Texas, after 1898. Therefore, both firearms traveled in interstate and/or foreign commerce to the State of Texas.
12. Based on the above information, your affiant presents this affidavit in support of an arrest warrant for **Glenn Ray McGarity a.k.a. Michael Lewis**. There is probable cause to believe that **Glenn Ray McGarity a.k.a. Michael Lewis**, a person who had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did intentionally and knowingly possess in and affecting commerce, firearms, in violation of Title 18, United States Code, Section 922(g)(1).



Special Agent Chris Beach
Alcohol, Tobacco, Firearms and Explosives

Sworn to before me on June 7th, 2018, and finding probable cause supports the arrest of the Defendant.



Honorable Judge Richard B. Farrer
United States Magistrate
Western District of Texas